

## Committee Room.

Austin, Texas, January 24, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 34 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

## Committee Room.

Austin, Texas, January 24, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 23 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

## Committee Room.

Austin, Texas, January 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 84 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

## Committee Room.

Austin, Texas, January 24, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 67 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

## Committee Room.

Austin, Texas, January 23, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 10 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:17 o'clock p. m. presented same to the Governor for his approval.

FLOYD, Chairman.

## TWELFTH DAY.

## Senate Chamber,

Austin, Texas.

Tuesday, January 27, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.

Bledsoe.

Bowers.

Davis.

Fairchild.

Floyd.

Hardin of Erath.

Hardin of Kaufman.

Holbrook.

Miller.

Moore of Hunt.

Moore of Cooke.

Murphy.

Parnell.

Parr.

Pollard.

Price.

Real.

Reid.

Russek.

Smith.

Strong.

Stuart.

Triplett.

Ward.

Witt.

Wood.

Woodward.

Absent—Excused.

Bailey.

Lewis.

Wirtz.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

## Bills and Resolutions.

By Senator Moore of Hunt, by request:

S. B. No. 143, A bill to be entitled "An Act to amend Article 2771 R. S. 1911, as amended by Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositors of independent districts.

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Moore of Hunt and Pollard:

S. B. No. 144, A bill to be entitled "An Act amending Chapter 51. Acts of the Regular Session of the Thirty-eighth Legislature regulating publications in newspapers inserted by public officers, agents and agencies; prescribing the rate of charge thereof; fixing the price to be charged for political advertising; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Floyd, Parnell and Smith:

S. B. No. 145, A bill to be entitled "An Act authorizing independent school districts meeting certain requirements provided herein to establish and maintain junior colleges offering two years of instruction beyond the high school grades; providing that such junior colleges shall be a part of the general public school system to this State; defining the scope of the college work as provided for herein;

vesting the control and management of such junior colleges in the boards of trustees of the school districts providing for their maintenance; prescribing the method for the establishment of such college work and the means by which it may be discontinued; validating certain junior colleges established prior to the passage of this Act; providing that independent districts establishing and maintaining collegiate work as prescribed in this Act receive supplemental appropriations from the general funds of the State, prescribing the amount of such supplemental aid; making an appropriation, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Triplett and Parr:

S. B. No. 146, A bill to be entitled "An Act to determine and regulate the pastoral rights of owners or lessees of land inclosed by fences or natural barriers or partly by fences and partly by natural barriers, among the several owners and lessees of land so inclosed, where such rights are not, or cannot be fixed, by agreement of such owners and lessees, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Miller, by request:

S. B. No. 147, A bill to be entitled "An Act for the protection of those who have filed exemption or homestead donation claims on school Section 2, S. F. Ry. Co. certificate sixteen sixty-eighths in Jack County, Texas, by authorizing the original pre-emptors of their assignees in good faith and for value to purchase, and the Commissioner of the General Land Office to sell to them such portions as they own in good faith and for value under said pre-emption or homestead claim, at fifty cents (\$.50) per acre, after they have filed field notes in the General Land Office, and have set such requirements as the law imposes on the owners of homestead or pre-emption claims, and purchasers of school lands desiring patents therefor, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Price:

S. B. No. 148, A bill to be entitled "An Act amending Section 39 (Thirty-nine), under Section 1 of House

Bill No. 136 (one hundred and thirty-six) being Chapter 168 of the General Laws passed at the Regular Session of the Thirty-eight Legislature, relative to public roads and highways, so as to except and exempt from the said chapter, the said County of Bowie, Texas."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Price:

S. B. No. 149, A bill to be entitled "An Act to create 101st Judicial District of Texas; to name the counties composing said district; to prescribe the time of holding term of the district court in said district; to prescribe the jurisdiction of said court and giving authority to the judges of the 101st Judicial District of Texas, and the Fifth Judicial District of Texas to transfer cases from their respective courts to the other said courts in Bowie County, Texas, either in term time or in vacation; to provide for the appointment of a judge for the 101st Judicial District and providing for the district attorney of the Sixth Judicial District to prosecute all criminal cases in the 101st Judicial District while sitting in Red River County until the expiration of his present term of office and thereafter for the county attorney of Red River County to prosecute all criminal cases in the district court of the 101st Judicial District while sitting in Red River County; and providing that the district clerk of each of said counties shall be the clerk for the 101st Judicial District; providing for the process issued in the Sixth Judicial District to be returnable to said 101st Judicial District in Red River County and providing that all cases pending in the district court of Red River County and in the Sixth Judicial District at the time of the taking effect of this Act be and the same are hereby transferred to the 101st Judicial District Court; and providing that the Sixth Judicial District shall be composed hereafter of the counties Lamar and Fannin; and prescribing the time of holding terms of court in said Lamar and Fannin counties; and providing in case any section of this Act should be held unconstitutional then and in that event it shall not effect the validity of any of the other sections hereof; repealing all

laws and parts of laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Wirtz:

S. B. No. 150, A bill to be entitled "An Act preventing speculation of public printers, and to prevent public printers from reproducing and disposing of matter printed under public contract and profiting thereby without the consent of the State; defining the necessary offenses and fixing the penalty; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 151, A bill to be entitled "An Act to amend Article 5695, Revised Civil Statutes of 1911, of the State of Texas as amended by Chapter 123, page 250 of the Acts of the Regular Session of the Thirty-third Legislature of 1913, as amended by Chapter —, page 39 of the Session Laws of the First Called Session of the Thirty-third Legislature of 1913 relating to liens reserved in deeds, deeds of trust, vendor's lien notes and the extension thereof by adding thereto the following, to-wit: 'Provided, however, that the lien retained in the original mortgage, deed of trust or conveyance of recorded extension, shall not extend beyond four years from the date of the maturity of the indebtedness specifically described therein;' and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 152, A bill to be entitled "An Act to amend Article 5118 of the Revised Civil Statutes of 1911 of the State of Texas, relating to persons exempt from jury service by omitting therefrom Section 1 reading as follows: 'All persons over sixty years of age,' and Section 3 reading as follows: 'All overseers of roads'."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward:

S. B. No. 153, A bill to be entitled "An Act defining negligent assault and negligence; making it an offense to negligently injure the per-

son or property of another, affixing a punishment therefor, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward:

S. B. No. 154, A bill to be entitled "An Act to amend Article 790 of the Code of Criminal Procedure of 1911 of the State of Texas by omitting therefrom the following: 'Provided that where there are two or more persons jointly charged or indicted, and a severance is had, the privilege of testifying shall be extended only to the person on trial.'"

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 155, A bill to be entitled "An Act to amend Chapter 26, Acts of the Regular Session of the Thirty-second Legislature, as amended in Chapter 36 of the Acts of the Thirty-fourth Legislature, Regular Session, providing for the election of a county board of trustees in each county of the State, prescribing the qualifications, term of office and method of election of county trustees, defining the powers and duties of the county board of trustees and of subordinate school officials employed by the said board in the administration of the public free school under their jurisdiction, repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Moore of Cooke:

S. B. No. 156, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony shall not disqualify a witness from testifying."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Moore of Cooke:

S. B. No. 157, A bill to be entitled "An Act to amend Article 788, of the Code of Criminal Procedure, by repealing Subdivision 3 thereof."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Moore of Cooke:

S. B. No. 158, A bill to be entitled "An Act to amend Section 1, of Chapter 170, of the General Laws of the Regular Session of the Thirty-eighth Legislature relating to fire escapes of buildings, so as to exclude certain public buildings from the provisions thereof."

Read first time and referred to Committee on State Affairs.

By Senator Hardin of Kaufman:

S. B. No. 159, A bill to be entitled "An Act relating to the creation of conservation and reclamation districts under and by virtue of the provisions of Section 59, of Article 16, of the State Constitution, to be known as levee improvement districts, for the purpose of reclaiming lands from overflow rivers, creeks and streams, by system of levees, drainage and other improvements; prescribing how such districts may be created; defining their rights, powers and privileges; enacting provisions necessary and incidental to the subject and purpose of this Act; amending Section 1, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, stating purposes for which such districts may be created; and adding to said chapter a new section, to be designated as Section 1a, providing for a survey of lands proposed to be included in a levee improvement district; amending Sections 2, 5 and 7, of said Chapter 44, providing for the creation of levee improvement districts, with authority to levy taxes on the ad valorem plan or based on assessed benefits, and providing a method of procedure for the creation of such districts; amending Section 14, of said Chapter 44, providing that levee districts may co-operate with each other, with cities, towns, subdivisions of this or other States and with the United States; amending Section 15, of said Chapter 44, providing for the appointment of district supervisors for such districts, and prescribing their compensation and term of office; amending Section 18, of said Chapter 44, prescribing duties of district engineer and State Reclamation Engineer in respect to the plan of reclamation and providing that no plan of reclamation, after approved by the State Reclamation Engineer, shall be modified or changed, the cost of which shall exceed one thousand (\$1,-

000.00) dollars, except upon petition to the State Reclamation Engineer signed by the owners of a majority of the acreage of lands in such district and approved by the State Reclamation Engineer; amending Section 19, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, and said Section 19, as amended by Section 1, of Chapter 50, Acts of the Thirty-seventh Legislature, First Called Session, providing for appointment of commissioners of appraisement in such districts levying taxes upon a benefit basis; adding to said Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, a new section, to be designated as Section 24s, providing for appointment of commissioners of appraisement in levee districts levying taxes on an ad valorem basis, with authority to assess damages that may accrue to any property that may be affected by the carrying out of the plan of reclamation, and prescribing their powers and duties, and providing for appeal to the district court from their findings in the assessment of damages; adding to Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, a new section, to be designated as Section 24b, providing for assessment of taxable property in levee districts proposing to levy taxes on an ad valorem basis, and prescribing the duties of the county tax assessor and his compensation for such services; amending Section 38, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, and said Section 38, as amended by Section 2, of Chapter 50, Acts of the Thirty-seventh Legislature, First Called Session, and also adding to said Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, a new section, to be designated Section 38a, providing for the levy of taxes in payment of bonds issued by levee improvement districts operating either on the ad valorem plan of taxation or upon a benefit basis; amending Section 39, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, providing for the levy of maintenance taxes voted by any levee improvement districts; amending Section 40, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, providing that the secretary of the board of supervisors of levee districts providing for the

levy of taxes upon a benefit basis shall be ex-officio tax assessor for such districts and prescribing his duties; amending Section 41, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, and said Section 41, as amended by Section 3, of Chapter 50, Acts of the Thirty-seventh Legislature, First Called Session, providing for collection of taxes in levee districts; adding to Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, two new sections, to be designated as Sections 43a and 43b, providing that any levee improvement district may by consent of the holders thereof refund any bonds issued by issuing new bonds for that purpose; amending Section 47, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, and said Section 47, as amended by Section 5, of Chapter 50, Acts of the Thirty-seventh Legislature, First Called Session, providing for the letting of contracts for constructing levees and other improvements; providing that the contractor shall complete the construction of such works of improvement for the amount of money, or bonds, available for that purpose; making it the duty of the county treasurer to set aside a special fund for the full amount of the contract price, providing for the expenditure of such fund, and making it unlawful to use it for any other purpose; authorizing the district supervisors to deliver the contractor the bonds for the district in full payment of the works of improvement constructed in conformity with the contract; prohibiting the letting of contracts where the funds available are not sufficient to complete the works of improvement authorized by the plan of reclamation, except to repair any levee so as to preserve the property of the district; adding to Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, a new section, to be designated as Section 47a, making it the duty of the State Reclamation Engineer either in person or by deputy to inspect the construction of a levee and other works of improvement while the work is in progress, and requiring the contractor to construct such work in accordance with the approved plan of reclamation; amending Section 61, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, so as to au-

thorize districts organized under other laws to avail themselves of this Act, and prescribing the method of procedure therefor; providing that nothing in this Act shall apply to the issuance of any bonds where provisions have been made for their issuance before the passage of this Act; providing that this Act shall not be construed so as to repeal Chapter 20, Acts of the Thirty-eighth Legislature, providing for the collection of delinquent taxes in levee improvement districts; validating all levee district bonds heretofore issued and approved by the Attorney General and registered by the Comptroller; repealing Chapter 146, Acts of the Thirty-fourth Legislature, Regular Session, and Sections 60, 62 and 63, of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, and all other laws and parts of laws in conflict herewith; providing that this Act shall take the place of all statutes hereby repealed, and that levee districts organized under any statute hereby repealed shall be governed by the provisions of this Act, validating all lawful proceedings had by such districts, and providing that no suits now pending in any court by or against any levee district shall be affected by the provisions of this Act; providing that this Act shall not be construed to repeal any drainage or irrigation law of this State; and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Davis:

S. B. No. 160, A bill to be entitled "An Act to give the Supreme Court of Texas the power to make and establish all rules of civil procedure for the government of said court and the other courts of this State so as to expedite the dispatch of business therein, and to call to its assistance such judges and lawyers of the State as the Supreme Court may select to aid in formulating such rules, and to repeal such statutes of procedure as may be in force when such rules go into effect."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Price:

S. J. R. No. 1, A joint resolution "Proposing to amend Section 50, Article 3, of the Constitution of the

State of Texas so that it shall hereafter provide that the Legislature shall have power and authority to create and maintain a State plan of insurance to underwrite industrial accident insurance in Texas."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Moore of Hunt:

S. J. R. No. 2, A joint resolution "Proposing an amendment to the Constitution of the State of Texas increasing the compensation of the Governor, Secretary of State, Attorney General, Comptroller of Public Accounts, the Treasurer, and the Commissioner of the General Land Office."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Moore of Hunt:

S. J. R. No. 3, A joint resolution "Proposing an amendment to the Constitution of the State of Texas relating to mileage and per diem of members of the Legislature."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Moore of Hunt:

S. J. R. No. 4, A joint resolution "Amending sections of the Constitution of the State of Texas, as follows: 'Section 1 of Article 8, relating to uniform taxation; poll, occupation, and income tax, and exempting income of natural persons from taxation'."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Moore of Hunt:

S. J. R. No. 5, A joint resolution "Amending a section of the Constitution of the State of Texas, as follows: 'Section 3 of Article 7, relating to taxation for free public school purposes and the distribution thereof, and providing free textbooks for certain scholastics'."

Read first time and referred to Committee on Constitutional Amendments.

#### S. C. R. No. 11.

By Senator Parnell

Be it resolved by the Senate, the House of Representatives concurring:

Whereas, Chapter 34 of the General Laws of the Acts of the Regu-

lar Session of the Thirty-sixth Legislature of the State of Texas, known as House Bill No. 27, provided that a commission composed of the Governor of the State of Texas, the Attorney General of Texas and the State Health Officer of the State of Texas, should constitute a commission for the purpose of negotiating the sale and delivery to the United States Government of all State property owned and used by the State of Texas for quarantine purposes along the Gulf of Mexico and on the Mexican border of the Rio Grande River, upon such terms as are more advantageous to the State of Texas, and

Whereas, said commission was vested with power and authority to sell to the proper authorities of the United States all such property owned by the State of Texas and specifically authorized the Governor of this State to execute deeds and convey said property to the proper authorities of the United States Government upon the receipt of the amount of money agreed upon, and

Whereas, Thereafter said commission, consisting of Hon. W. P. Hobby, former Governor of this State; C. M. Cureton, former Attorney General, and C. W. Goddard, former State Health Officer, together with J. H. White, as Surgeon General of the United States Public Health Service, and N. V. Perry, Construction Engineer of the United States Public Health Service, made an inventory of the properties belonging to and used by the State of Texas as quarantine properties, and appraised said property at the value of ninety thousand and seventy-one dollars (\$90,071), and

Whereas, The sale of said property has not been consummated and delivery made to the United States Government, nor has the State of Texas collected any money for same, because it is understood that there has been much difficulty in trying to get the titles of the State of Texas to the property involved in such shape as to be acceptable to the authorities of the United States Government, and

Whereas, These facts have been made known to us, and it is desirable and necessary on account of the conditions of the quarantine facilities along the Gulf of Mexico and the Mexican border of the Rio Grande River that more adequate

quarantine facilities be provided, and in the present situation the quarantine facilities are inadequate because the United States Government has not been able to take over the properties, and it is necessary that the titles to said properties be straightened out and perfected, and

Whereas, The United States Government has appropriated the sum of \$90,071 in money to pay for such property contemplated under said Act to be sold by the State of Texas; therefore be it

Resolved by the Senate of the Thirty-ninth Legislature, the House of Representatives concurring, That a committee be appointed consisting of two members of the Senate and three members of the House of Representatives, which committee shall have authority and is hereby employed to make a thorough investigation of the present situation with reference to the matters involved herein, with a view to expediting, if possible, the sale and delivery of said property to United States Government authorities and to aid and assist the commission heretofore appointed to the consummation of said negotiations, which have been heretofore made, and to report back its findings to the Senate and House for their action.

Be it further Resolved, That all expenses incurred by the members of this committee, or their representatives, for the necessary purposes of this resolution be paid out of the contingent fund.

The resolution was read and adopted.

Morning call concluded.

#### Senate Bill No. 84.

The Chair laid before the Senate, on third reading,

S. B. No. 84, A bill to be entitled "An Act to adopt and establish the Revised Civil Statute of the State of Texas."

The bill was read third time and passed finally.

#### Senate Bill No. 50.

The Chair laid before the Senate, as regular order, on its third reading and final passage,

S. B. No. 50, A bill to be entitled "An Act validating Common School District No. 27 of Gaines County, and validating an issue of bonds heretofore voted by said district; defining

the powers of the county board of school trustees of Gaines County in respect to said district, and declaring an emergency."

The bill was read third time and passed by the following vote:

#### Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

#### Absent—Excused.

Bailey.	Lewis.
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#### Senate Bill No. 30.

The Chair laid before the Senate, as regular order, on its third reading and final passage,

S. B. No. 30, A bill to be entitled "An Act providing that all trial courts in this State before being authorized and empowered to impose any punishment or fine against another party for any alleged constructive contempt of said courts covering any alleged acts or conduct of said party, arising outside of and not in the presence of said courts, shall submit the issue of fact in such alleged constructive contempt to a jury of said courts as in civil cases, and the findings of said jury shall adjudge the party guilty of contempt as alleged, and declaring an emergency."

The bill was read third time and passed by the following vote:

#### Yeas—16

Bledsoe.	Parr.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Smith.
Holbrook.	Strong.
Moore of Cooke.	Triplett.
Murphy.	Wirtz.
Parnell.	Wood.

#### Nays—12.

Berkeley.	Hardin of Kaufman
Bowers.	Moore of Hunt.
Hardin of Erath.	Real.

Reid.                      Ward.  
 Russek.                  Witt.  
 Stuart.                  Woodward.

Absent.

Miller.

Absent—Excused.

Bailey.

Lewis.

#### Message from the House.

Hall of the House of Representatives.  
 Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 62, A bill to be entitled "An Act vesting in the State of Texas for the benefit of the Texas State Railroad to the exclusion of all other governmental agencies of the State and the United States, title to all steel rail now upon the roadbed of the Texas State Railroad, and allotted to the State of Texas by the United States from the surplus war materials of the Federal Government at the end of the late war; and providing that sale or other disposition of such Texas State Railroad, under authority of law, shall pass title to such steel rail as against all other State agencies, and declaring an emergency."

H. B. No. 104, A bill to be entitled "An Act creating Morton Independent School District in Cochran County, Texas; defining its boundaries; providing for a board of trustees; vesting title to all school property within said district in the trustees and their successors; charging the said district with all the indebtedness and the performance of all contracts of the school heretofore included within the district; providing that the board of trustees heretofore elected and now serving in Morton Common School District No. 4, as now existing, shall continue in effect for the district hereby created until the expiration of their terms and until their successors shall have been elected and qualified; authorizing the trustees to exercise all the rights and powers conferred by the General Laws upon trustees of independent districts created for school purposes under the General Laws; validating and continuing in force the local maintenance taxes heretofore voted by the voters in the territory included within the district heretofore by a uniform tax upon the whole dis-

trict, increase or diminish the same, or until they abolish such taxes in accordance with the General Statutes; providing for the appointment of a board of equalization and tax assessor and collector for said district; providing that if any part of this Act shall not be constitutional, the remaining part of this Act shall not be invalidated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act to repeal Chapter 95, Special Laws, Thirty-eighth Legislature, entitled 'An Act to provide an efficient system of road maintenance in Upshur County,' and declaring an emergency."

H. B. No. 168, A bill to be entitled "An Act to extend the corporate limits of the City of Kingsville so as to include therein certain land adjacent thereto upon which is being constructed the South Texas Teachers' College, and declaring an emergency."

H. B. No. 146, A bill to be entitled "An Act dividing Ropes Independent School District in Hockley County, Texas; creating two independent school districts; creating and incorporating Ropes Independent School District No. 1, Hockley County, Texas; re-establishing and re-defining the boundaries; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Ropes Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 in Hockley County, Texas; validating and containing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District as herein created; providing for filing vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be



governed by the General Laws of Texas relating to independent school districts in matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the court of any provision of this Act shall not invalidate any remaining portion or provision, and declaring an emergency."

H. B. No. 152. A bill to be entitled "An Act validating Common School District No. 3, of Hudspeth County, and validating a maintenance tax election heretofore held by said district; defining the powers of the county board of school trustees of Hudspeth County, of said district, and declaring an emergency."

H. B. No. 153. A bill to be entitled "An Act to exempt the County of Culberson from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes, 1911 relating to the inspection of hides and animals; repealing all laws in conflict therewith, and declaring an emergency."

Respectfully submitted,  
C. L. PHINNEY,  
Chief Clerk, House of Representatives.

#### Senate Bill No. 77.

The Chair laid before the Senate, as regular order, on its third reading and final passage,

S. B. No. 77, A bill to be entitled "An Act authorizing cities and towns to establish and maintain municipal bands, and to appropriate funds of the municipality for that purpose; providing for referendum elections by the qualified property taxpaying voters of cities and towns to determine whether or not such band shall be established and maintained; authorizing the governing body of cities and towns to pass ordinances and resolutions and enter into contracts for the organization, maintenance, operation and control of such bands; exempting charters already existing from the provisions hereof; repealing laws in conflict herewith; and declaring an emergency."

Senator Moore of Hunt offered the following amendment:

Amend S. B. No. 77 by striking out Section 5 and insert in lieu thereof the following:

"Section 5. When it shall be determined to establish and maintain

a band in any city or town, the governing body thereof shall have full power to pass all ordinances and resolutions to enable such city or town to maintain such band, and in addition thereto such governing body shall elect a non-partisan citizen commission of not more than five nor less than three members whose duty it shall be to negotiate contracts and formulate rules and regulations, and do all things necessary or proper to establish, control and maintain said band."

The above amendment was read and adopted by unanimous consent.

Senator Fairchild moved to lay the bill on table subject to call.

Senator Moore of Hunt moved to table the motion, which motion to table was lost.

The motion to lay the bill on the table subject to call was adopted.

#### Senate Bill No. 101.

The Chair laid before the Senate, as regular order, on its second reading,

S. B. No. 101, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and declaring an emergency."

Senator Davis offered the following several amendments, severally, all of which were read and adopted:

(1) Amend S. B. No. 101, page 10, line 30, by striking out all of said line and inserting in lieu thereof the following:

"47 District Attorneys \$23,500.00, \$23,500.00."

(2) Amend S. B. No. 101, page 11, line 4, by striking out words "Thirty-second" and inserting the words "Thirty-eighth."

(3) Amend S. B. No. 101, page 12, line 17, by adding to the word "report" the letters "er" so as to make the word read "reporter" instead of "report."

(4) Amend S. B. No. 101, page 12, line 27, page 15, line 8, page 15, line 15, so that the totals there stated shall in each instance be \$1,500.00 less than the amounts stated in the bill. Also amend page

15, line 17 so that the total there stated shall be \$3,000.00 less than the amount stated in the bill.

Senator Strong offered the following amendment:

Amend S. B. No. 101 by striking out the figures 500.00—500.00, line 11, page 5.

The amendment was read and lost.

The bill was read second time and passed to engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 101 put on its third reading and final passage by the following vote:

Yeas—27.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Miller. Parnell.

Absent—Excused.

Bailey. Lewis.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Miller. Parnell.

Absent—Excused.

Bailey. Lewis.

Senate Bill No. 24.

Senator Stuart moved to recommit Senate Bills Nos. 24 and 25, to Committee on Civil Jurisprudence.

The motion to recommit was, after discussion, withdrawn, and

The Chair laid before the Senate, on second reading,

S. B. No. 24, A bill to be entitled "An Act amending Articles 1492, 1493 and 1494, Revised Civil Statutes of Texas, providing procedure in the preparation and conduct of budgets in counties in which there is a county auditor, repealing all laws in conflict herewith."

The bill was read second time, and on motion of Senator Murphy, the bill was laid on table, subject to call.

Senate Bill No. 25.

The Chair laid before the Senate, on second reading,

S. B. No. 25, A bill to be entitled "An Act to amend Article 7618, Revised Civil Statutes of Texas of 1911, requiring monthly reports of State taxes, providing requisites thereof, duties of county clerk, manner of payment of money, annual settlement, and allowance of delinquent and insolvent lists, by adding Section 8, to require that in counties having a county auditor, the duties prescribed for the county clerk shall be performed by said auditor, and providing that before allowance of delinquent and insolvent lists the roll shall be audited by the county auditor; and to amend Article 7619 with reference to county taxes, and requiring the collector to make report of county taxes and the clerk to check the same and the collector to pay over funds, and approval thereof by the commissioners' court, and the adjustment of said taxes between the county and the collector, by adding Section 7, to require that the duties of the county clerk be performed by the county auditor, in counties having a county auditor, and that the monthly report of the collector and his annual settlement be checked and approved by the county auditor before allowance by the commissioners' court; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and on motion of Senator Murphy, the bill was laid on the table, subject to call.

## Senate Bill No. 4.

The Chair laid before the Senate, on second reading,

S. B. No. 4, A bill to be entitled "An Act declaring fish and other aquatic animal life contained in the fresh water rivers, creeks and streams and in lakes or sloughs subject to overflow from rivers or streams within the borders of this State, and in the public rivers, bayous, lagoons, creeks, lakes, bays and inlets of this State, and all that part of the Gulf of Mexico within the jurisdiction of this State, are the property of the people of the State; providing for angler's license, the form, the issuance thereof, and the fees and commissions for same; declaring persons required to purchase angler's license and penalties for failure to procure or exhibit the same with exceptions; providing for an angler's license fund, its use, care and distribution; defining an angler, and declaring an emergency."

The committee report recommended amendments to the bill.

The committee amendments were read and adopted.

Senator Bowers offered the following amendment, which was read and adopted:

Amend S. B. No. 4, as printed, page 3, line 16, as follows:

Strike out the words and figures, "ten dollars (\$10.00)" and insert in lieu thereof the words and figures, "one dollar (\$1.00)."

Senator Bowers offered the following amendment, which was read and adopted:

Amend S. B. No. 4, as printed, page 3, line 12, as follows:

Between the words "water and that" in line 12, add the following: "forming one or more of the survey lines or."

Senator Bowers offered the following amendment:

Amend S. B. No. 4, as printed, page 3, line 17, by adding the following:

"Provided, however, it shall not be necessary for any other than the head of a family to have an angler's license as herein provided and any member of the family may use said angler's license, regardless of age."

The amendment was read and Senator Wood moved to table the same, which motion to table was lost.

The amendment was read and lost.

Senator Floyd made the point of order that the bill was a revenue producing measure and should originate in the House.

The Chair, Lieutenant Governor Miller, overruled the point of order.

Senator Murphy offered the following amendment:

Amend S. B. No. 4, page 3, by striking out in line 24, "enforcement of fish laws."

The amendment was read and tabled, on motion of Senator Wood.

Senator Price offered the following amendment:

Amend S. B. No. 4 by adding to Section 6, line 17, page 3, the following words: "provided that the terms of this Act shall not apply to those counties in Texas embraced in the First and Seventh Senatorial Districts of Texas."

Pending discussion, Senator Wood moved to table the amendment, which motion to table was adopted.

Senator Fairchild offered the following amendment:

Amend S. B. No. 4, page 4, by adding Section 9a after Section 9 and before Section 10, to read as follows:

"That this bill shall not apply to person or persons engaged in agricultural pursuits."

Senator Wood moved to table the amendment, which motion to table was lost, by the following vote:

Yeas—12.

Bledsoe.	Russek.
Bowers.	Strong.
Davis.	Stuart.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Real.	Wood.

Nays—16.

Berkeley.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Erath.	Reid.
Hardin of Kaufman	Smith.
Holbrook.	Triplett.
Murphy.	Ward.
Parnell.	Woodward.

Absent.

Miller.

Absent—Excused.

Bailey.

Lewis.

Amendment pending.

**Bills Signed.**

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 3.  
H. C. R. No. 4.  
H. B. No. 118.

**House Bills Read and Referred.**

The following House Bills were referred by the Chair to committees, having been read first time in the Senate (See House Message for captions):

H. B. No. 104, referred to Committee on Educational Affairs.

H. B. No. 157, referred to Committee on Highways and Motor Traffic.

H. B. No. 168, referred to Committee on Towns and City Corporations.

H. B. No. 146, referred to Committee on Educational Affairs.

H. B. No. 152, referred to Committee on Educational Affairs.

H. B. No. 153, referred to Committee on Stock and Stock Raising.

**Addition to Standing Committees.**

The Chair, Lieutenant Governor Miller, here announced the appointment of the following additions to Standing Committees:

Finance: Senator Reid.

Highways and Motor Traffic: Senator Price.

**Executive Session—Time Set.**

Senator Strong moved that the Senate go into executive session today at 3 o'clock p. m.

The motion was adopted.

**Clerk Appointment.**

We have appointed Miss Sallie Fuller, clerk in the Enrolling Committee, and recommend approval by the Senate.

FLOYD, Chairman.

The above was approved by the Senate.

**Recess.**

On motion of Senator Pollard, the Senate, at 12 o'clock m. recessed until 2 o'clock today.

10—Senate.

**After Recess.**

The Senate was called to order by Lieutenant Governor Miller.

**Senate Bill No. 4.**

Pending business, S. B. No. 4 was resumed, action being on the pending amendment by Senator Fairchild. The amendment was lost.

Senator Pollard offered the following amendment:

Amend S. B. No. 4, page 3, line 4, by adding between the words "waters" and "mentioned," the following, "out of the county of his residence".

The amendment was read and lost.

Senator Bowers offered the following amendment:

Amend S. B. No. 4, page 3, line 4, by striking out the word "17" and insert the word "nineteen".

The amendment was read and adopted.

After discussion Senator Pollard moved that the further consideration of the bill be indefinitely postponed.

Pending.

Senator Stuart offered the following amendment:

Amend S. B. No. 4 by inserting the following after the word "sale," page 3, line 2 of said bill: "A fisherman as referred to herein shall be any person who fishes with hook and line and natural bait. An angler shall be one who fishes with reel or artificial bait."

Senator Pollard made the point of order that his motion to postpone indefinitely, having the effect to kill the bill, would be in order prior to the amendments.

The Chair held that the amendments being to perfect the bill were in order.

Senator Fairchild offered the following amendment to the amendments:

Amend S. B. No. 4, page 2, by adding Section 3a after Section 3, and before Section 4, to read as follows, "Providing that this bill shall apply only to persons using artificial bait and not otherwise."

The amendment to the amendment was lost by the following vote, yeas and nays being demanded:

Yeas—7.

Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Triplett.
Pollard.	

## Nays—19.

Berkeley.	Real.
Bledsoe.	Russek.
Bowers.	Strong.
Davis.	Stuart.
Hardin of Kaufman	Ward.
Holbrook.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

## Absent.

Miller.	Price.
Moore of Hunt.	

## Absent—Excused.

Bailey.	Lewis.
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Senator Fairchild moved that the bill be laid on the table until the tomorrow's session, following the conclusion of the morning call.

The motion was adopted by the following vote, yeas and nays being called for:

## Yeas—15.

Berkeley.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Erath.	Reid.
Hardin of Kaufman	Smith.
Holbrook.	Triplett.
Moore of Cooke.	Woodward.
Murphy.	

## Nays—11.

Bledsoe.	Strong.
Bowers.	Stuart.
Davis.	Wirtz.
Parnell.	Witt.
Real.	Wood.
Russek.	

## Absent.

Miller.	Ward.
Moore of Hunt.	

## Absent—Excused.

Bailey.	Lewis.
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## Senate Bill No. 37.

The Chair laid before the Senate, on second reading,

S. B. No. 37, A bill to be entitled "An Act to prevent untrue and damaging statements in reference to banks, banking institutions, trust companies, surety companies, guaranty companies, title insurance companies or other financial institutions providing the nec-

essary penalties to accomplish such purpose, and declaring an emergency."

The bill was read second time, and was ordered engrossed by the following vote, the yeas and nays being called for.

## Yeas—15.

Berkeley.	Strong.
Holbrook.	Stuart.
Moore of Hunt.	Triplett.
Pollard.	Ward.
Real.	Witt.
Reid.	Wood.
Russek.	Woodward.
Smith.	

## Nays—10.

Bledsoe.	Moore of Cooke.
Bowers.	Murphy.
Davis.	Parr.
Hardin of Erath.	Price.
Hardin of Kaufman	Wirtz.

## Present—Not Voting.

Parnell.

## Absent.

Fairchild.	Miller.
Floyd.	

## Absent—Excused.

Bailey.	Lewis.
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## Senate Bill No. 46.

Senator Holbrook called from the table, S. B. No. 46, and the Chair laid the bill before the Senate.

The bill had been read second time at a previous session, and it was ordered engrossed.

## Senate Bill No. 10.

Senator Wood here moved to reconsider the vote by which the Senate refused to order S. B. No. 10, engrossed, on yesterday.

## Senate Bill No. 28.

The Chair laid before the Senate, on second reading,

S. B. No. 28, A bill to be entitled "An Act to amend Article 2078 of the Revised Civil Statutes of 1911 to provide for appeal and writs of error from orders granting motions for new trials, and declaring an emergency."

The bill was read, and was laid on table, subject to call.

**S. B. No. 115—Re-referred.**

Senator Murphy moved that S. B. No. 115 be withdrawn from Committee on Civil Jurisprudence and be referred to Committee on Criminal Jurisprudence.

The motion was adopted.

**Senate Bill No. 5.**

The Chair laid before the Senate, on second reading,

S. B. No. 5, A bill to be entitled "An Act making an appropriation out of the State Treasury of the State's portion of the compensation to be paid by the State and the United States Government to owners of livestock destroyed to eradicate and prevent disease among livestock in this State."

There being a committee amendment to the bill, action recurred on the same, and

Senator Woodward offered the following amendment to the committee amendment:

Amend the committee amendment, S. B. No. 5, page 2, line 8, by inserting between the words "than and the" the words "one-half of."

The amendment to the committee amendment was adopted, and committee amendment, as amended was adopted.

The bill, having been read second time, was ordered engrossed.

**Senate Bill No. 108.**

The Chair laid before the Senate, on second reading,

S. B. No. 108, A bill to be entitled "An Act creating the Jarrell Common School District No. 12 in Nueces County, Texas."

The Committee report was adopted.

The bill was read second time and ordered engrossed.

**Senate Bill No. 109.**

The Chair laid before the Senate, on second reading,

S. B. No. 109, A bill to be entitled "An Act creating the Ben Bolt Independent School District in Jim Wells County, Texas; defining its boundaries, providing a board of seven trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by General Laws for school districts, incorporated for free school purposes only; investing the trustees with the

control of the public schools in said district, authorizing the levy and collection of taxes for certain purposes, authorizing the commissioners' court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and giving the electors of said district the right to vote in the election for county board members, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and ordered engrossed.

**Senate Bill No. 111.**

The Chair laid before the Senate, on second reading,

S. B. No. 111, A bill to be entitled "An Act creating the Palito Blanco Independent School District in Jim Wells County, Texas, defining its boundaries, providing a board of five trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by General Laws for school districts, incorporated for free school purposes only investing the trustees with the control of the public schools in said district, authorizing the levy and collecting of taxes for certain purposes, authorizing the commissioners' court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and giving the electors of said district the right to vote in the election for county board members, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and ordered engrossed.

**Votes Recorded.**

Senator Woodward, absent on yesterday, asked unanimous consent that he be marked present and voting "yea" on S. C. R. No. 8, known as the child-labor resolution. There was no objection.

Senator Fairchild, absent on yesterday, asked unanimous consent that he be marked present and voting "nay" on S. C. R. No. 8, known as the child-labor resolution. There was no objection.

**Executive Session.**

The Chair, Lieutenant Governor Miller, here announced that the hour for the Senate to go into executive session had arrived and directed that the chamber be cleared of all those not entitled to remain.

**In the Senate.****Senate Bill No. 21.**

The Chair laid before the Senate, as regular order, on its second reading,

S. B. No. 21, A bill to be entitled "An Act adding to Chapter 17, of Harris County Road Law, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, a new section, to be known as Section 5a, authorizing the commissioners' court of Harris County, Texas, for the purpose of properly laying out all roads and superintending their maintenance, to purchase automobiles for the use of commissioners when acting as road supervisors, under appropriate regulations of said court, and providing for reports thereon to the auditor, and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency."

The committee report was adopted.

The bill was read second time and ordered engrossed.

**Adjournment.**

On motion of Senator Wood, the Senate, at 3:25 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Committee Reports.****Committee Room.**

Austin, Texas, January 26, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 16, A bill to be entitled "An Act authorizing the Governor to appoint a commissioner to represent the State of Texas in a conference with the commissioners from the States of New Mexico and Colorado, and a representative of the U. S.

Government to negotiate an agreement respecting the use, control and disposition of the waters of the Rio Grande and its tributaries above Ft. Quitman, Texas, prescribing the authority and duties of such commissioner, authorizing the co-operation of certain officers of the State, authorizing the accumulation of engineering and other data pertinent thereto, prescribing the method of reaching such agreement and submitting it to the Legislature for ratification, making an appropriation to carry out the purposes of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BLEDSON, Chairman.

**Committee Room.**

Austin, Texas, January 27, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 33, A bill to be entitled "An Act authorizing the Rio Grande and Eagle Pass Railway Company to abandon Minera Station, the western terminal of said railroad in Webb County, Texas, and 8,000 feet of the main line track immediately southeast thereof, and to take up and remove all tracks, bridges and culverts within that area, and creating an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

**Committee Room.**

Austin, Texas, January 27, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 112, A bill to be entitled "An Act to amend Sections 14 and 15 of Senate Bill No. 4, passed at the Second Called Session of the Thirty-first Legislature, the same being entitled 'An Act to provide for the regulation and supervision of banking corporations providing for the securing of depositors of such corporations; providing for a depositors' guaranty fund and fixing the terms by which banks and trust companies may avail their depositors of the benefits of said fund;

providing for a bond for securing depositors and providing that all banking corporations created under Chapter 10, Acts of First Called Session of the Twenty-ninth Legislature shall avail their depositors of protection provided for by this Act, either by the depositors' guaranty fund or by bond, at their option; providing that all national banks transacting business in this State may, at their option, voluntarily avail their depositors of the protection afforded by this Act; providing that banks incorporated by Special Act of the Legislature of the State of Texas may voluntarily, on certain conditions, protect their depositors under this Act; providing that private banks may voluntarily avail their depositors of the protection by bond provided by this Act; amending Sections 39, 50, 56 and 44, Chapter 10 of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas; prescribing additional regulation and safeguards for the protection of depositors and for savings departments; prescribing the powers and duties of the Commissioner of Insurance and Banking; creating a State Banking Board and prescribing its powers and duties; providing for penalties for the violation of this Act, and declaring an emergency; the said Sections 14 and 15 of said Senate Bill No. 4, being Articles 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, providing that state banks or state bank and trust companies that have elected to do business under the Guaranty Fund Law, as provided by said Senate Bill No. 4, shall have the right by giving and filing the bond provided for under said Sections 14 and 15 of said Senate Bill No. 4, the same being Article 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, to cease doing business as Guaranty Fund Banks and thereafter to do business and come under the provisions of the Bond Security System of said Senate Bill No. 4, and providing for the return to such bank or bank and trust company its unused pro rata part of the guaranty fund as is now provided in the event of voluntary liquidation under Section 14 of said Senate Bill No. 4, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 114, A bill to be entitled "An Act to repeal Section 506 of Chapter 5, Title 14, Revised Statutes of 1911, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 51, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches or any part thereof, within the time required by law, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 168, A bill to be entitled "An Act to extend the corporate limits of the City of Kingsville so as to include therein certain land adjacent thereto upon which is being constructed the South Texas Teachers' College, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

STUART, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on



Criminal Jurisprudence, to whom was referred

S. B. No. 69, A bill to be entitled "An Act amending Article 636 of the Penal Code of the State of Texas and providing that all male and female persons who habitually associate with prostitutes or habitually loiter in or around houses of prostitution or receive financial aid from prostitutes shall be punished as vagrants, and defining the terms 'prostitute' and 'common prostitute,' and adding to Chapter 9, Title 11 of the Penal Code of the State of Texas the Article 636a and providing therein the evidence which may be admissible in vagrancy trials and the effect of such evidence, and repealing all laws in conflict herewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 113, A bill to be entitled "An Act amending Section 124a of Chapter 124 of the General Laws of the Regular Session of the Twenty-ninth Legislature, page 296, so as to make it a felony to violate said section, said section being upon the subject of preventing fraud in teachers' examinations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following Committee Amendment:

Amend Section 1, page 1 of the bill, by striking out, in the second line from bottom of page 1, the words "and not" and inserting in lieu thereof, the word "nor."

WARD, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 64.

Have had the same under consid-

eration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FLOYD, Vice-Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred

S. B. No. 64, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas, to create a State Board of Examiners to operate in conjunction with the office of the Commissioner of the General Land Office, etc."

Beg leave to differ with a majority of the Committee, and report the same back to the Senate with the recommendation, that it do not pass.

WIRTZ.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 90, A bill to be entitled "An Act to exempt the County of Culberson from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 31, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the

Thirty-third Legislature, and Chapters 26 and 99; General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-seventh Legislature, Chapter 10 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and Chapter 97, of the Regular Session of the Thirty-eighth Legislature with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Willacy County."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

Committee Room,  
Austin, Texas, January 26, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 17, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the U. S. Department of Agriculture in the destruction of rodent pests—prairie dogs, rats, pocket gophers and ground squirrels, and predatory animals—coyotes, wolves, mountain lions, bob-cats and other predatory animals; appropriating funds for such purposes; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,  
Austin, Texas, January 27, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No.

50 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, January 27, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 30 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, January 27, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 77 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

### THIRTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, January 28, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Bailey.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

See appendix for standing committee reports.